

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Small Town Radio, Inc.

Licensee of Station WDGR(AM)
Dahlonaga, Georgia

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File No.: EB-02-AT-291
NAL/Acct. No. 200332480007
FRN 0005-0483-35

FORFEITURE ORDER

Adopted: January 31, 2003

Released: February 4, 2003

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* ("Order"), we issue a monetary forfeiture in the amount of fifteen thousand dollars (\$15,000) to Small Town Radio, Inc. ("Small Town"), licensee of Station WDGR(AM), Dahlonaga, Georgia, for willful and repeated violation of Sections 11.35(a) and 73.49 of the Commission's Rules ("Rules").¹ The noted violations involve Small Town's failure to maintain operational emergency alert system equipment and failure to enclose the station's antenna tower within an effective locked fence.

2. On November 13, 2002, the District Director of the Commission's Atlanta, Georgia Field Office ("Atlanta Office") issued a *Notice of Apparent Liability for Forfeiture* ("NAL") in the amount of \$15,000 to Small Town.² Small Town has not filed a response to the NAL. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the Communications Act of 1934, as amended ("Act"),³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁴ Small Town Radio Inc. **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$15,000 for willfully and repeatedly violating Sections 11.35(a) and 73.49 of the Rules.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁵ Payment shall be made by mailing a check or similar instrument, payable to the order of the "Federal Communications Commission," to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200332480007, and FRN 0005-

¹ 47 C.F.R. §§ 11.35(a) and 73.49.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200332480007 (Enf. Bur., Atlanta Office, released July November 13, 2002).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵ 47 U.S.C. § 504(a).

0483-35. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.⁶

5. **IT IS FURTHER ORDERED THAT** a copy of this *Order* shall be sent by first class mail and certified mail, return receipt requested, to Small Town Radio, Inc., 12600 Deerfield Parkway, Suite 100, Alpharetta, Georgia 30004.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

⁶ See 47 C.F.R. § 1.1914.